

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

KENNETH W. STONE,

Plaintiff,

v.

JOHN WATKINS, Chattanooga Police Officer;)
STEVE PARK, Chief of Police of Chattanooga;)
CITY OF CHATTANOOGA,)

Defendants.

No. 1:04-cv-259

Edgar

ORDER

In accordance with the accompanying memorandum opinion, the defendants' motion for summary judgment [Court File No. 21] is **GRANTED IN PART and DENIED IN PART**. That aspect of the motion in which the City of Chattanooga seeks summary judgment on Stone's claims against it for punitive damages will be **GRANTED**. In all other respects the motion is **DENIED**.

The parties should be prepared to go to trial on the following claims:

- (1) The excessive force claim against Officer Watkins in his official and individual capacities;
- (2) The supervisor liability claim against Chief Parks in his official and individual capacities; and

(3) The claim against the City of Chattanooga for its failure to properly train its officers, specifically that the city failed to react to complaints of constitutional violations by its officers.

SO ORDERED.

ENTER this *15th day of November, 2005*.

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE